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April 9, 2021

**Via ECF**

Honorable Margo K. Brodie, U.S.D.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn New York 11201

**Re: *MacFarlane v. Ewald, et al*, 10-cv-02877 (MKB) (ARL) (EDNY)**

Dear Honorable Margo K. Brodie:

Counsel for the Defendants in this matter agree with Plaintiff's counsel that mediation may not be appropriate at this time for this case. However, we have remained in communication with Plaintiff's counsel throughout the process and have recently made a settlement offer.

We will keep the Court apprised of any further discussions with Plaintiff's counsel or developments. Thank you for your consideration.

Respectfully submitted,

DEVITT SPELLMAN BARRETT, LLP

/s/

John M. Shields

cc: All Counsel (via ECF)